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11 (Additional Counsel on Signature Page)

12 **UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

13 IN RE ALLEGIANT TRAVEL CO.
14 STOCKHOLDER DERIVATIVE
15 LITIGATION

16 Master File No.: 2:18-cv-01864

17 **JOINT STATUS REPORT AND
18 SCHEDULE**

19 WHEREAS, on July 20, 2018, Charles Blackburn filed a verified shareholder derivative
20 complaint in the United States District Court for the Central District of California, *Blackburn v.*
21 *Maurice J. Gallagher, Jr., et al.*, Case No. 2:18-cv-06296-GW-SSx (“*Blackburn*”), and which was
22 transferred to this Court on October 10, 2018;

23 WHEREAS, on September 26, 2018, Mark Fullenkamp filed a verified shareholder
24 derivative complaint in this Court, *Fullenkamp v. Maurice J. Gallagher, Jr.*, Case No. 2:18-cv-
25 01864-APG-DJA (“*Fullenkamp*”);

26 WHEREAS, on January 8, 2019, *Blackburn* and *Fullenkamp* were consolidated as *In re*
27 *Allegiant Travel Co. Stockholder derivative Litigation*, Case No. 2:18-cv-01864-APG-DJA (the
“Consolidated Derivative Action”);

28 WHEREAS, on April 8, 2019, the Plaintiffs in the Consolidated Derivative Action filed a
29 Verified Consolidated Stockholder Derivative Complaint;

1 WHEREAS, on May 13, 2019, the Court ordered that the Consolidated Derivative Action
2 be stayed until the Court issued a decision on the motion to dismiss in *Checkman v. Allegiant*
3 *Travel Co., et al.*, Case No. 1:28-cv-01758-APG-PAL (the “Securities Class Action”);

4 WHEREAS, by order entered September 9, 2019, the Court granted in part and denied in
5 part the motion to dismiss in the Securities Class Action, at which time the stay in this action was
6 lifted;

7 WHEREAS, the Parties have met and conferred concerning Plaintiffs’ intent to file an
8 Amended Verified Consolidated Stockholder Derivative Complaint; and

9 WHEREAS, the Parties have agreed to a schedule for Plaintiff’s to file such a complaint
10 and for briefing on Defendants’ anticipated motion to dismiss;

11 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by the parties,
12 through their undersigned counsel and subject to the approval of the Court:

13 1. Plaintiffs shall file and serve any Amended Verified Consolidated Stockholder
14 Derivative Complaint within thirty days after entry of this scheduling order;

15 2. Defendants shall have thirty days from service of the Amended Verified
16 Consolidated Stockholder Derivative Complaint to respond;

17 3. In the event Defendants move to dismiss the Amended Verified Consolidated
18 Stockholder Derivative Complaint, Plaintiffs shall have thirty days to file and serve their
19 opposition papers; and Defendants shall have thirty days to file and serve any reply memorandum.

20 **IT IS SO STIPULATED**

1 DATED: February 5, 2020

Respectfully submitted,

2 /s/ Martin A. Muckleroy
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IT IS SO ORDERED this 7th day of February, 2020.

Donald L. Allard

Daniel J. Albregts
United States Magistrate Judge

ATTESTATION OF COUNSEL

I, Martin L. Muckleroy, am the CM/ECF user whose ID and password are being used to file this Joint Status Report and [Proposed] Order. Pursuant to Local Civil Rule 5-1(i)(3), I hereby attest that Jacob D. Bundick, on whose behalf this filing is jointly submitted, has concurred in this filing.

By
/s/ Martin A. Muckleroy
Martin A. Muckleroy